

SYMMETRY FINANCIAL GROUP, LLC,

Plaintiff,

v.

JOSHUA J. EMMANS and
SHENAE WOODS,

Defendants.

THIS MATTER IS BEFORE THE COURT on Defendants’ “Motion To Transfer Division” (Document No. 9) filed August 20, 2020. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, and noting that Plaintiff’s counsel has reported to chambers staff that Plaintiff does not oppose the request, the undersigned will grant the motion.

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Defendants contend that Plaintiff's principal office is in Buncombe County, North Carolina, and that none of the facts and claims alleged in the Complaint occurred in the Charlotte Division. (Document No. 10, p. 1). "For these reasons, among others," Defendants conclude that this matter should be transferred. (Document No. 10, pp. 1-2) (citing Trivette v. Walmart Stores, Inc., 3:17-CV-560-FDW-DCK (W.D.N.C. Nov. 8, 2017)).

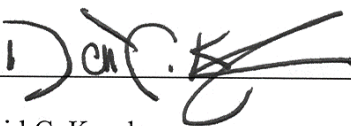
Although Plaintiff initially indicated opposition to the motion, Derek P. Adler, counsel for Plaintiff Symmetry Financial Group, LLC and Counter-Defendant John Ziller, has recently informed the Court that the motion to transfer is now unopposed.

Based on Defendants' arguments and authority, as well as the parties' agreement, the undersigned finds that this matter should be transferred to the Asheville Division.

IT IS, THEREFORE, ORDERED that Defendants' "Motion To Transfer Division" (Document No. 9) is **GRANTED**. This matter shall be transferred to the Asheville Division of the United States District Court for the Western District of North Carolina.

SO ORDERED.

Signed: September 11, 2020



David C. Keesler
United States Magistrate Judge

